



1805

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Examiner: Unknown

BRANSTROM ET AL.

Group Art Unit: Unknown

Serial No.: 08/711,961

Attny Docket: 003/030/SAP

Filed: September 6, 1996

For: Bacterial Delivery System

\*\*\*\*\*

November 20, 1996

NOV 20 1996  
PATENT & TRADEMARK OFFICE  
GROUP 180

**RESPONSE TO NOTICE TO COMPLY**

Honorable Commissioner of  
Patents and Trademarks  
Box Sequence  
Washington, D. C. 20231

Sir:

This is in response to the Notice to File Missing Parts dated October 28, 1996 in the subject application. Herewith submitted is a another copy of the computer readable format of the Sequence Listing, the original having apparently been misplaced by the Patent Office. A copy of the postcard receipt received from the U. S. Patent and Trademark Office verifying receipt of the original computer diskette on September 6, 1996 is enclosed and provides proof that the diskette was filed along with the application as required by 37 C.F.R. 1.821(e).

In re Application of Branstrom et al.  
Serial no. 08/711, 961  
Response to Notice to Comply, Page 2

I hereby state that the substitute computer readable form of the Sequence Listing  
does not contain new matter.

Respectfully submitted,

By *John F. Moran* Reg No 39,441  
*for* John F. Moran  
Reg. No. 26,313

U.S. A. MRMC  
ATTN: MCMR SGRD-JA (John Moran)  
Fort Detrick, Frederick, MD 21702-5012



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
TRANSMITTAL FORM

In re Application of

BRANSTROM et al.

Serial No.: 08/711,961

Filed: SEPTEMBER 6, 1996

For: Bacterial Delivery System

Examiner: Unknown

Group Art Unit: Unknown

Date: November 20, 1996

Attny Docket: 003/030/SAP

MT  
12/6/96  
#3

\*\*\*\*\*

Honorable Commissioner of  
Patents and Trademarks  
Washington, D. C. 20231

Sir:

Transmitted for filing herewith are the following items:

☒ Response to Notice to File Missing Part of Application

☒ Computer readable form of Sequence Listing

Surcharge required ☐ yes ☒ no amount \$ -0-

☐ Petition to extend the original due date of \_\_\_\_\_  
to cover the date of this paper accompanied by the extension

fee of: (Large/Small entity): ☐ 1 mo. \$110/\$55  
☐ 2 mos. \$370/\$185  
☐ 3 mos. \$870/\$435  
☐ 4 mos. \$1,360/680): \$ -0-

☐ Enter any previous extension fee paid since last Action-----subtract - \$ -0-

Fee required \$ -0-

☐ Small entity verified statement filed ☐ herewith ☐ previously.

Please charge the above fee and any missing or inadequate fee re this paper to  
Deposit Account No. **21-0380** for which purpose a duplicate copy of this sheet is  
attached.

Respectfully submitted,

Sana A. Pratt, Reg. No. 39,441  
Tel.: 301-294-9171

96 NOV 26 PM 2:36  
RECEIVED  
1996


**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**

 Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
 Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
--------------------	-------------	-----------------------	------------------------

08/711.961

09/06/96

BRANSTRON

A

003/030/SAP

0212/1028

 ATTN: MCMR-JA (JOHN MORAN)  
 US ARMY MEDICAL RESEARCH  
 AND MATERIEL COMMAND  
 FORT DETRICK  
 FREDERICK MD 21702-5012

0000

DATE MAILED:

10/28/96

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**FILING DATE GRANTED**

An Application Number and Filing Date have been assigned to this application. However, the items indicated below are missing. The required items and fees identified below must be timely submitted **ALONG WITH THE PAYMENT OF A SURCHARGE** for items 1 and 2-6 only of \$ 120 for large entities or \$ 65 for small entities who have filed a verified statement claiming such status. The surcharge is set forth in 37 CFR 1.16(e).

If all required items on this form are filed within the period set below, the total amount owed by applicant as a ☐ large entity, ☐ small entity (verified statement filed), is \$ 0.

Applicant is given **ONE MONTH FROM THE DATE OF THIS LETTER, OR TWO MONTHS FROM THE FILING DATE** of this application, **WHICHEVER IS LATER**, within which to file all required items and pay any fees required above to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

1. ☐ The statutory basic filing fee is: ☐ missing ☐ insufficient. Applicant as a ☐ large entity ☐ small entity, must submit \$ \_\_\_\_\_ to complete the basic filing fee.
2. ☐ Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity, ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
3. ☐ The oath or declaration:
  - ☐ is missing.
  - ☐ does not cover items omitted at time of execution.

An oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date is required.

4. ☐ The oath or declaration does not identify the application to which it applies. An oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
5. ☐ The signature(s) to the oath or declaration is/are: ☐ missing; ☐ by a person other than the inventor or person qualified under 37 CFR 1.43, 1.49, or 1.47. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
6. ☐ The signature of the following joint inventor(s) is missing from the oath or declaration:

\_\_\_\_\_. An oath or declaration listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

7. ☐ The application was filed in a language other than English. Applicant must file a verified English translation of the application and a fee of \$ \_\_\_\_\_ under 37 CFR 1.17(b) unless this can be

BEST AVAILABLE COPY

8. ☐ A \$\_\_\_\_\_ processing fee is required since your check was returned without payment.  
(37 CFR 1.51(m)).
9. ☐ Your filing receipt was mailed in error because your check was returned without payment.
10. ☒ The application does not comply with the Sequence Rules. See attached Notice to Comply with Sequence Rules 37 CFR 1.521-1.525.
11. ☐ Other.

Direct the response and any questions about this notice to, Attention: Application Processing Division,  
Special Processing and Correspondence Branch (708) 308-1202.

***A copy of this notice MUST be returned with the response.***

WASH DC 20540-0001

ATTENTION: VQA/ASR 308-1202

BEST AVAILABLE COPY

## BEST AVAILABLE COPY

Application No.: 08/711961NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING  
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: \_\_\_\_\_

## Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☐ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

For PatentIn software help, call (703) 308-8858

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE

BEST AVAILABLE COPY

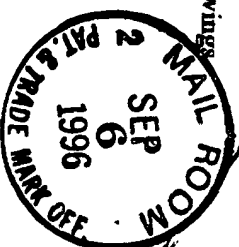
08711961

Appl. No.: Unknown  
First Inventor: BRANSTROM

Client/Matter: 003/030/SAP  
Date: September 6, 1996

Enclosed:

- (X) Duplicate copies of Transmittal Form
  - (7) Sheets of (X) informal ( ) formal drawings
  - (49) Pages of Specification
  - (6) Pages of claims
  - (X) Declaration (X) signed ( ) unsigned
  - ( ) An assignment transmittal letter
  - ( ) Small Entity Status Claim Form
  - (X) An Information Disclosure Statement
  - (X) A list of references (Form 1449)
  - (X) Copies of references
  - (X) Postcard
  - (X) Computer readable format of Sequence Listing
- RECEIPT FROM PTO FOR INDICATED ITEMS



08711961